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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,312

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Johannus Leopoldus Bakx

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

CHU, KIM KWOK

ART UNIT

PAPER NUMBER

2627

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/576,312	<b>Applicant(s)</b> BAKX, JOHANNUS LEOPOLDUS	
	<b>Examiner</b> Kim-Kwok CHU	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on RCE filed on 11/30/2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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***Continued Examination after Final Rejection***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 30, 2009 has been entered.

***Claim Objections***

2. Claim 1 is objected to because of the following informalities:

Regarding Claim 1, line 12, the phrase "a first detector unit" should be changed to --the first optical detector unit--; and

Regarding Claim 1, lines 13 and 14, the phrase "a second detector unit" should be changed to --the second optical detector unit--.

Appropriate correction is required.

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***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

4. Claims 8-11, 15 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 8, the phrase "said at least one input terminal" lacks an antecedent basis.

Similarly, in Claim 9, the phrase "said at least one input terminal" lacks an antecedent basis.

Regarding Claim 15, lines 4 and 10, there are two "optical components for .....". It is not clear whether these two optical components are the same or different to each other with respect to each of their detecting action is different.

The claims not specifically mentioned above are rejected because these claims are dependent on the rejected base claim.

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***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

6. Claims 1-5 and 8-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Oshima (U.S. Patent 6,445,670).

7. Oshima teaches an optical detector system having all of the elements and means as recited in Claims 1-5, 8-14 and 16. For example, Oshima teaches the following:

Regarding Claim 1, the optical detector system (Fig. 6) comprising at least two optical detector units 125A, 125B (Fig. 7A) for receiving light generated from at least two lasers 115A, 115B, respectively (Fig. 7A; column 13, lines 1 and 2), each optical detector unit 125A, 125B comprising an array of detector segments (Figs. 7A and 8) and at least one output terminal (substrate) defining a current output of the corresponding optical detector unit (Fig. 7A; column 14, lines 48-50; the optical detector system is an integrated circuit having input/output circuits fabricated in a common substrate); and a signal processing circuit 109 (Fig. 6; column 14; lines 50-54);

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wherein at least one current output 117 (Fig. 7A; column 14, lines 48-52) of a first optical detector unit 125A is connected directly at a common current output node (substrate 117 is a common current path) to a corresponding current output of a second optical detector unit 125B at an output node 117 (Figs. 7A); the output node 117 (substrate) being directly connected to a processing terminal of the signal processing circuit 109 (Fig. 6) so that the processing terminal is directly connected to both the at least one current output of the first optical detector unit 125A and the corresponding current output of the second optical detector unit 125B, and wherein only the first detector unit 125A of the at least two optical detector units 125A, 125B is operative (Fig. 7A; column 13, lines 60-65), as determined by an identity of a first laser 125A in use of the at least two lasers (Fig. 7A), a second detector unit 125B of the at least two optical detector units 125A, 125B being non-operative (not active) by virtue of not receiving light from a second laser 115B of the at least two lasers 115A, 115B (Fig. 7A) so that an output of the second detector unit 125B (Fig. 7A) is floating (off), and does not affects output signals produced by the first detector unit 125A (Fig. 7A; each set of laser light and it corresponding detector is activate to their respective disc).

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Regarding Claim 2, the two optical detector units 125A, 125B (Fig. 7A) are of mutually identical design (Fig. 7A; same semiconductor material).

Regarding Claim 3, the two optical detector units 125A, 125B have mutually different wavelength sensitivity ranges (Fig. 6; two laser 115A and 115B).

Regarding Claim 4, each current output of the first optical detector unit 125A is connected directly to the corresponding current output of the second optical detector unit 125B at a corresponding output node 117 (Fig. 7A; two detectors belongs to the same substrate).

Regarding Claim 5, the second optical detector unit 125B in the non-operative state presents a high input impedance (Fig. 7A; no signal/current flowing).

Regarding Claim 8, the at least one input terminal comprises a current input (Figs. 6 and 7A; inherent feature where input/output circuits such as 109 carries current in form of a signal).

Regarding Claim 9, the one input terminal comprises a voltage input, and wherein a terminator resistor is connected to the line (Fig. 7A; inherent feature where input/output circuits use terminator resistors to limit currents).

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Regarding Claim 10, the terminator resistor is arranged in the proximity of the signal processing circuit 109 (Fig. 6; inherent feature where input/output circuits use terminator resistors to limit currents).

Regarding Claim 11, the terminator resistor is integrated in an IC implementing the signal processing circuit 109 (Fig. 6; inherent feature where input/output circuits use terminator resistors to limit currents).

Regarding Claim 12, light beam generating means 115A, 115B for generating at least two light beams (Fig. 6); optical components 107 (Fig. 6) for directing and focusing the two light beams in a focal spot on an optical disc 81A, 82B (Fig. 6); optical components 107 (Fig. 6) for directing reflected light beams to respective optical detector units 125A, 125B of the optical detector system (Figs. 6 and 7A).

Regarding Claim 13, the optical components 107 are arranged such that the light beams have at least partly common light paths (Fig. 6; both light beams focused).

Regarding Claim 14, the optical components 107 are arranged such that the light beams have completely separate light paths (Fig. 7A; only one light beam is on).

Regarding Claim 16, the disc drive apparatus



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comprising an optical system 105, 106 107, 108 (Fig. 6).

8. Claims 15 and 17 have limitations similar to those treated in the above rejection, and are met by the reference as discussed above.

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9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen, can be reached on (571) 272-7579.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

/Kim-Kwok CHU/

Examiner AU2627  
December 10, 2009  
(571) 272-7585  
/HOA T NGUYEN/

Supervisory Patent Examiner, Art Unit 2627